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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/803,582

03/17/2004

Chiyoshi Sasaki

KAW-0049

6139

23413 7590 01/29/2009
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EXAMINER

PAPE, ZACHARY

ART UNIT

PAPER NUMBER

2835

NOTIFICATION DATE

DELIVERY MODE

01/29/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

Office Action Summary	Application No. 10/803,582	Applicant(s) SASAKI, CHIYOSHI	
	Examiner ZACHARY M. PAPE	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-19 is/are pending in the application.
- 4a) Of the above claim(s) 1-7 and 16-18 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-15 is/are allowed.
- 6) ☒ Claim(s) 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following detailed action is in response to the correspondence filed 11/24/2008.

Claim Objections

1. Claim 9 is objected to because of the following informalities:

Claim 9 recites, "a plurality of plate-like metal fins comprising a heat dissipating elastic portion, said fins being linear or bent along a specific configuration and a heat receiving portion" which is confusing since "and a heat receiving portion" is after the description of the fins in the limitation. For clarity, the Examiner recommends that the recitation be changed to read, "a plurality of plate-like metal fins comprising a heat receiving portion and a heat dissipating elastic portion, said fins being linear or bent along a specific configuration;"

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. (US 6,357,514 – hereinafter, “Sasaki”) in view of Zeighami et al. (US 2003/0183371 – hereinafter, “Zeighami”).

With respect to claim 19, Sasaki teaches a heat sink comprising: a plurality of metal fins (Comprising 21 and 22) including a heat receiving portion (22) and heat dissipating plate-like portions (21) thermally coupled to, extending from, and standing over said heat receiving portion (See Fig 6); and a metal shield plate (1) having a plurality of slits (12) into which said respective heat dissipating plate-like portions (21) are inserted and press-connected thereto (Via 11) in such a manner that said slits of the metal shield plate are substantially (emphasis added) filled by material of said heat dissipating plate-like portions (See Fig 3), whereby said metal shield plate in combination with said heat dissipating plate-like portions substantially filling said slits of said metal shield plate not only provides a heat dissipation structure but also provides an electromagnetic shield (Col 10, Lines 1-10). Sasaki fails to specifically teach or suggest a fin fixing member to transfix said plurality of metal fins. Zeighami teaches a plurality of heat sink fins (502) transfixed by a fin fixing member (500). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zeighami et al. with that of Sasaki to facilitate better and more even cooling of the fins.

Allowable Subject Matter

3. Claims 9-15 are allowed.

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4. The following is an examiner's statement of reasons for allowance:

With respect to claim 9, the allowability resides in the overall structure of the device as recited in independent claim 9 and at least in part because claim 9 recites, "wherein said first concave portion is aligned with said second concave portion".

The aforementioned limitations in combination with all remaining limitations of claim 9 are believed to render said claim 9 and all claims dependent therefrom (Claims 10-15) patentable over the art of record.

While Sasaki teaches some of the limitations of claim 9, Sasaki fails to specifically teach or suggest that the concave portion on the upper and lower areas of the metal shield plate (1) are aligned as claimed (See Figs 7-8).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

5. Applicant's arguments with respect to claims 9-15 are moot in view of the allowance to said claims.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZACHARY M. PAPE whose telephone number is (571)272-2201. The examiner can normally be reached on Mon.- Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Zachary M Pape/
Examiner, Art Unit 2835